

AFFIDAVIT

AFFIDAVIT OF Sarah L. Foreman

SPECIAL AGENT

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

Case No. 3:14-mj-00035-DMS

I, Sarah L. Foreman, being duly sworn, depose and state that:

I. EXPERIENCE OF AFFIANT

I am a graduate of the University of Alaska, Southeast where I received a Master's Degree in Public Administration with emphasis on Criminal Justice. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice, and have been so employed since October 21, 2012.

I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy in Glynco, GA and the Firearms Interstate Nexus Training Program in Martinsburg, WV; as a result of my training and experience as an ATF Special Agent, I am familiar with the Federal Firearms and Narcotics laws.

The information in this affidavit is based on my personal knowledge, and other information provided by other Federal, State and Local law enforcement officers, based on investigations conducted. It does not represent all of the facts now known to me, only those facts necessary to establish probable cause.

II. PURPOSE OF AFFIDAVIT

I make this affidavit in support of an application for a complaint and arrest warrant for Daniel Martin HARRIS, for violations of Title 18, U.S.C. §§ 922(g)(1) and 924(a)(2), making it unlawful for an individual who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year to possess in or affecting commerce, any firearm or ammunition.

III. PROBABLE CAUSE

- 1) On or about November 11, 2013, APD responded to 4110 Debarr Road, Space 28D, Anchorage, AK for a medical assist to an unresponsive male. Upon arrival, officers made contact with Sandra HARRIS (hereafter referred to as SANDRA), one of the owners/tenants of the residence. Officers also made contact with Daniel HARRIS (DOB: 03/18/1987, FBI #:441960MC2) (hereafter referred to as DANIEL), a convicted felon. DANIEL is the other owner/tenant of the residence. Sandra and Daniel HARRIS, along



with their child, are the occupants of the residence located at 4110 Debarr Road, Space 28D, Anchorage, AK.

- 2) During officers' contact with both SANDRA and DANIEL, they observed what appeared to be drugs, various pieces of paraphernalia, and multiple firearms. Specifically, officers observed the following firearms in plain view while in the HARRIS residence:
 - a. Revolver, Smith & Wesson, Model: 10-5, .38 Special Caliber, S#: D726060;
 - b. Pistol, Astra, Model: A-75, .40 Caliber, S#:18038-95A;
 - c. Pistol, Browning Arms Company, Model: Hi-Power, 9mm Luger Caliber, S#: 511MN52859; and
 - d. Rifle, Bushmaster, Model: XM15-E2S, .223-5.56mm Caliber, S#: L326916.
- 3) Officers spoke to both DANIEL and SANDRA while at the residence. Both DANIEL and SANDRA separately made consistent statements to the officers that the revolver was SANDRA's and that the Astra and Browning pistols belonged to DANIEL. DANIEL also stated he had purchased the Bushmaster rifle and had a bill of sale.
- 4) Based upon their observations while in the HARRIS residence, the officers subsequently applied for and received search warrants for the residence (search warrant 3AN-13-1909SW), and for the storage shed that was also on the property (search warrant 3AN-13-1910SW).
- 5) APD executed the search warrants on or about November 11, 2013. During the search, officers discovered and seized an additional firearm, namely, one pistol, Davis Industries, Model: P-380, .380 Auto Caliber, S#: AP130675.
- 6) APD ran all of the firearms through the National Crime Information Center (NCIC) and found that the Browning pistol had previously been reported stolen.
- 7) A background check for DANIEL revealed a felony conviction for Misconduct Involving a Controlled Substance in the Second Degree, case number 3AN-07-7673CR, on December 17, 2007. Based upon my training and experience, I know this crime to be a felony punishable by more than one year in prison.
- 8) DANIEL was not arrested on the night of November 11, 2013. As such, there were no fingerprints obtained for comparison. Instead, your affiant obtained a photograph dated October 31, 2009 of Daniel Martin HARRIS, arrested for violating probation in case number 3AN-07-7673CR. Your affiant then provided that photograph to APD Officer Gill, the officer who had contact with DANIEL at



the residence on the night of November 11, 2013. Officer Gill confirmed that the individual in the photograph was the same individual he had contact with at the HARRIS residence on November 11, 2013. Officer Gill also stated that, on scene, DANIEL was identified by his AK OLN: 6889749 and his date of birth, in addition to multiple photographs displayed throughout the house.

- 9) Following the seizure of the firearms, your affiant conducted a firearms interstate nexus determination for the firearms and determined that if the firearms were received and/or possessed in the State of Alaska, they had to have traveled in and affected interstate commerce as defined in Title 18 U.S.C. § 921 (a)(3).
- 10) Based on the foregoing, I believe that there is probably cause to believe that Daniel Martin HARRIS has violated Title 18, United States Code, §§ 922(g)(1) and 924(a)(2).

FURTHER AFFIANT SAYETH NAUGHT


SIGNATURE REDACTED

Sarah L. Foreman
Special Agent, ATF

SUBSCRIBED AND SWORN TO before me this 27th day of January, 2014, at Anchorage, Alaska.

/S/ DEBORAH M. SMITH
U.S. MAGISTRATE JUDGE
SIGNATURE REDACTED

Deborah M. Smith
United States Magistrate Judge


JAN 27 2014